

1 IN THE UNITED STATES DISTRICT COURT
2 WESTERN DISTRICT OF TEXAS
3 EL PASO DIVISION
4 UNITED STATES OF AMERICA No. EP:05-CR-856-KC
5 v. El Paso, Texas
6 IGNACIO RAMOS, ET AL. October 12, 2005

7
8 PRETRIAL MATTERS
9 BEFORE THE HONORABLE KATHLEEN CARDONE
10 UNITED STATES DISTRICT JUDGE
11 VOLUME I OF XVII

12 APPEARANCES:

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24 Proceedings recorded by stenotype. Transcript produced by
25 computer-aided transcription.

David A. Perez, CSR, RPR

1 THE CLERK: EP:05-CR-856, USA versus Ignacio Ramos and
2 Jose Alonso Compean.

3 MS. KANOF: Good afternoon, Your Honor. Debra Kanof
4 and Jose Luis Gonzalez for the United States.

5 MS. RAMIREZ: Good afternoon, Your Honor. Maria
6 Ramirez, on behalf of Jose Alonso Compean.

7 MS. STILLINGER: Mary Stillinger and Steve Peters for
8 Ignacio Ramos, Your Honor.

9 THE COURT: Okay. I have -- are you aware of a motion
10 for continuance in the Compean case?

11 MS. KANOF: I am, Your Honor. Ms. Ramirez orally told
12 me about it. I haven't seen a written copy, but I'm aware of
13 her motion. And I've discussed it with both defense counsel.

14 THE COURT: Okay. So let's deal with that issue
15 first. You have filed, Ms. Ramirez, a motion for continuance?

16 MS. RAMIREZ: I have, Your Honor.

17 THE COURT: Go ahead, for the record, so we can
18 discuss it in the courtroom.

19 MS. RAMIREZ: Your Honor, my client was indicted, I
20 believe a couple of weeks ago, on three new obstruction charges
21 and a 924 weapons offense, which carries a ten-year mandatory
22 minimum sentence. And I'm requesting a continuance for further
23 preparation, and so I can provide effective assistance to my
24 client at trial.

25 I don't know whether -- I believe Ms. Kanof stated

1 that she was not opposed to the continuance, but I don't know
2 whether Mr. Ramos's attorney is opposing a continuance.

3 THE COURT: All right. And what is your position on
4 the continuance?

5 MS. KANOF: The Government is not opposed to a
6 continuance, Your Honor.

7 THE COURT: Okay. Ms. Stillinger?

8 MS. STILLINGER: Your Honor, on behalf of Mr. Ramos,
9 we ourselves are not moving for a continuance. There were new
10 substantive charges added, and I have no doubt that under the
11 Speedy Trial Act that we are entitled to 30 days from the
12 superseding indictment to prepare.

13 Mr. Ramos made the decision that we were not going to
14 seek that for ourselves, but I actually have no doubt that
15 Mr. Compean is entitled to it, the same as we would be.

16 With respect to the continuance, I had spoken to
17 Ms. Kanof. Our only problem is Mr. Ramos is on electronic
18 monitoring, which is very burdensome for him. But discussing
19 that with Ms. Kanof today, the Government has no objection to
20 the removal of the electronic monitoring. And that was really
21 the basis of our objection to continuing this, Your Honor, is
22 because he is -- and, actually, Mr. Compean is also on
23 electronic monitoring. But -- and I understand that the
24 Government is not objecting to removal for both of these
25 defendants. That was the basis of our objection, is that

1 Mr. Ramos is really undergoing some form of punishment right
2 now, because it's pretty restrictive for him right now.

3 But, based on the Government's position they would not
4 oppose the removal -- I understand that's a condition of
5 pretrial service and the agency. I understand the Court
6 doesn't have to go along with that. But, based on their
7 position, we would not object to a continuance.

8 MS. RAMIREZ: Your Honor, I would add that, at the
9 preliminary detention hearing, the recommendation from pretrial
10 services was a monitor, and -- for my client, Mr. Compean. And
11 I -- we didn't actually have a detention hearing. My client
12 agreed to the monitor against my advice, and so it was not a
13 condition imposed by Judge Mesa.

14 And pretrial services is here, and I believe he's been
15 very compliant with pretrial services. I don't believe he's a
16 flight risk. And I would also request that the Court remove
17 the monitor from my client, as a condition of the pretrial
18 release.

19 THE COURT: The Government's position on this?

20 MS. KANOF: Your Honor, basically what happened is,
21 originally a motion to detain was filed. In negotiation with
22 defense counsel, the Government agreed to withdraw the motion
23 to detain based on any terms and conditions that pretrial
24 service recommended, and they did recommend electronic
25 monitoring on both.

1 Subsequent to that, Ms. Stillinger's client, Ignacio
2 Ramos, filed a motion in the middle, a couple of months ago, to
3 have the electronic monitoring removed. And we had a hearing,
4 and Judge Mesa denied it. So the Government didn't want to
5 take an active role in contravention of Judge Mesa's order or
6 pretrial services.

7 However, at this time, Mr. Gonzalez and I have
8 spoken -- each one of us -- with one of the supervising
9 pretrial services officers, who have reported that both of them
10 are doing very well on bond, and they believe that -- that
11 removing -- they were the original individuals that made the
12 recommendation, and now they're willing to withdraw that
13 recommendation, based on the compliance, the good compliance on
14 the part of both defendants.

15 So -- also, I've spoken with the case agent in this
16 case from the Department of Homeland Security, Office of the
17 Inspector General, who also believes that it would not be a
18 dangerous step on the part of the Court, as far as flight is
19 concerned, to remove the monitor.

20 So I would like the Court to separate out, though,
21 that -- basically, what I hear defense counsel saying, they're
22 making a motion to remove the electronic monitoring, and the
23 Government is not objecting to that, and asking the Court to
24 grant it, as well.

25 And that -- that's a little bit separate, although in

1 our negotiations, there was some contingency discussion.
2 That's not the reason that the Government is taking this
3 position. We're taking this position based on the information
4 that we've received from the people who are normally concerned
5 and responsible for investigating flight risk.

6 THE COURT: All right. Now -- okay. So we have in
7 front of us the issue of whether or not to grant the
8 continuance; whether or not to remove the electronic
9 monitoring. And, if the Court grants the continuance, my
10 understanding, in discussions with my deputy, courtroom deputy,
11 is that there was some talk about moving it to the first part
12 of next year because of scheduling conflicts. Where does
13 everybody stand on that?

14 MS. KANOF: Your Honor, I would actually like to be
15 heard on that.

16 THE COURT: Okay. That's fine.

17 MS. KANOF: First of all, yes, the Government agrees
18 and concurs with the time period of January or February of next
19 year. But we have had substantive bases, other than just
20 agreeing to a continuance based on the Court's schedule.

21 Based on the Speedy Trial Act, there is excludable
22 time, based on the unavailability of a defendant (sic).

23 The defendant (sic) in this case was injured. That --
24 his injury is the basis of this indictment, that he was shot at
25 by both Border Patrol agents and hit by one of them, causing

1 him an injury.

2 Basically what happened was, his urethra was severed.
3 And, since this occurred on February 17th of this year, he
4 has -- the Government didn't discover the injury until March
5 16. But, from that time on, he's been receiving treatment at
6 William Beaumont Army Medical Center.

7 They have tried, but not been able, to reattach his
8 urethra. He uses a catheter in his -- outside of his body,
9 going from his bladder into a bag, to urinate.

10 The Army is willing to, and agreeable, of doing
11 surgery to attempt to reattach the urethra, but it has to be
12 done by a specialist. There's only a couple in the country.
13 And this specialist is at Brooks Army Medical Center in
14 San Antonio.

15 They fit him in between all of their war people, and
16 they have an appointment for him -- he needs to travel to
17 San Antonio October 23rd. He needs to check into Brooks on the
18 24th for prep. The surgery will be the 25th. They need to
19 keep him in the hospital a couple of days after that.

20 But he needs some recovery time, Your Honor. Because,
21 after the surgery, he's going to be required to wear two
22 catheters. One catheter -- right now he doesn't have to always
23 wear the bag, because if he excuses himself once per hour, he
24 can empty through the catheter. But he will be obligated to
25 wear a bag, based on his surgery, full-time, which would be, I

1 think, very difficult for him to wait and testify. He has to
2 be excused once every hour. And he will also have to be
3 catheterized through his penis in order to create the
4 continuity for the healing of the urethra.

5 I would think the -- the physician hasn't given us a
6 recovery time, but said that those two catheters will have to
7 remain in place at least a month.

8 He has, in the past, had some infection complications.
9 So, out of an abundance of caution, the Government would say
10 that, based on 3161(3)(a), which is the unavailability of the
11 defendant, the Court can make that ruling under the Speedy
12 Trial Act for -- beginning at the time that ends Ms. Ramirez's
13 client's right under the superseding indictment for probably
14 two months, I think would be a fair time for recovery, which
15 does, in fact, take us to January.

16 And if the Court doesn't want to give more than the
17 one month of recovery, I have some other arguments about
18 availability of counsel, because I'm actually going to take a
19 vacation.

20 THE COURT: All right. And -- but you're saying --
21 you're indicating that he is going into surgery, travel October
22 23rd, surgery around the 25th, and then at least a full month
23 of recovery after that.

24 MS. KANOF: At least.

25 THE COURT: You're arguing perhaps even two months.

1 MS. KANOF: I'm just -- out of an abundance of
2 caution, because he has had complications in the past.

3 THE COURT: Right.

4 MS. KANOF: And I think a lot of that has to do with
5 him living in Mexico and maybe not under sanitary -- sufficient
6 sanitary conditions.

7 THE COURT: Okay. And this was -- the superseding, I
8 know, was in September.

9 MS. KANOF: September 28.

10 THE COURT: So that would be September 28 to October
11 28th, which is right around when this surgery is, right?

12 MS. KANOF: That's exactly right, Your Honor.

13 THE COURT: Okay. What's everyone's position? And,
14 understand that part of the predicament I have is, I can try it
15 sometime, perhaps, before -- in October or November. But come
16 December, we have a trial that's expected to go, I think, three
17 weeks. And so my concern is there's no way I could do it
18 before January. And then, given the defendant's condition or
19 the surgery issue, it's looking like that combination would not
20 allow us to do it in October or November.

21 What's -- Ms. Stillinger, on behalf of your client,
22 what's your position?

23 MS. STILLINGER: Your Honor, on behalf of Mr. Ramos,
24 I -- just to clarify one thing, I know Ms. Kanof was referring
25 to the defendant, and --

1 MS. KANOF: The defendant, and I meant to say the
2 victim.

3 THE COURT: Okay. And you're right.

4 MS. STILLINGER: Right. Who, I can't deny, is an
5 important witness in this case. Your Honor, that really was
6 the issue that Mr. Ramos has discussed with us, is whether or
7 not he was so anxious to go to trial that he's going to try to
8 get you to squeeze us in sometime in November.

9 But with the prospect of removing the electronic
10 monitoring, he doesn't have the same urge to assert his Speedy
11 Trial Act -- I mean, his speedy trial rights, you know. So I
12 can't say -- I mean, I don't doubt anything Ms. Kanof is
13 saying. I know, even before this issue came up, even before
14 the motion was filed, Ms. Kanof had told me that -- that the
15 witness was having the surgery. So I certainly don't doubt
16 that that's taking place. And I was aware that the Court was
17 otherwise occupied in December.

18 My only request, with respect to scheduling a trial
19 date, is if we could not have it right after the holidays, so
20 we would have to work over the holiday break. I am hoping to
21 go out of down between Christmas and New Year's for about a
22 week.

23 THE COURT: Okay. Mr. Martinez, so everyone knows
24 what dates we're talking about, perhaps -- do people have their
25 calendars with them?

1 MS. RAMIREZ: I do.

2 MS. STILLINGER: It's up here.

3 THE COURT: All right. Well, let's -- what dates are
4 we talking about, Mr. Martinez, for -- what dates?

5 THE CLERK: We were looking at the end of January,
6 either the 20th or the 27th.

7 MS. KANOF: Your Honor, I do have a trial in Judge
8 Montalvo's court on the 17th.

9 THE COURT: Okay.

10 MS. KANOF: It may plead, but at this point in time
11 it's still a trial.

12 THE COURT: Okay. So --

13 MS. KANOF: And Mr. Gonzalez wants you to know his
14 birthday is January 20th.

15 THE COURT: Well, we will have a cake for him. Okay?

16 Okay. We could -- how long are we anticipating the
17 trial taking?

18 MS. KANOF: No more than a week.

19 THE COURT: A week?

20 MS. RAMIREZ: No more than a week, Your Honor.

21 THE COURT: Yes?

22 MS. STILLINGER: I think that's correct. Probably a
23 week.

24 THE COURT: Okay. So we could do jury selection on
25 January 20th, which is Mr. Gonzalez's birthday. We could do it

1 on the 27th, for trial either the week of the 23rd or the week
2 of the 30th.

3 MS. KANOF: My problem with the 20th would be if I'm
4 still in trial with Judge Montalvo.

5 THE COURT: Right. So if everyone has the 27th
6 available, that's fine with me, which would be the following
7 Friday, trial beginning January 30.

8 MS. STILLINGER: Your Honor, I'm sorry. Mr. Peters is
9 just telling me he does have a case set for trial in state
10 court on the 31st of January. So it would work better for us
11 if we could begin jury selection January the 20th and start
12 trial on the 23rd.

13 THE COURT: Okay. And is there no way around -- and
14 the only reason is because the only -- I guess the only concern
15 I have is, if she's stuck in trial.

16 MS. STILLINGER: Oh, that's -- I'm sorry. You have
17 one on the 17th?

18 MS. KANOF: Right.

19 MS. STILLINGER: Okay.

20 THE COURT: So is there any way to work around,
21 Mr. Peters, your settings? I mean, if I were to give you a
22 setting, could you work with the state court, or is that a
23 firm, hard date that you have to be there?

24 MR. PETERS: What I can tell you about that is that
25 there are -- this client -- this client is charged with a

1 felony, and he's asserting some -- he is asserting --
2 assiduously asserting his speedy trial right. In fact, there's
3 a motion pending for dismissal under the speedy trial. And I
4 know that that client really is anxious to get to trial.

5 I'm also aware of the supremacy clause, but I don't
6 know how I can --

7 THE COURT: Are the state court judges? No.

8 MR. PETERS: Most of them actually are, Judge.

9 THE COURT: Well, let me ask you, the trial that
10 you're talking about on the 31st, how long do you anticipate it
11 going?

12 MR. PETERS: It's probably a week.

13 THE COURT: A whole week?

14 MR. PETERS: Yes. I think that's jury selection, if I
15 recall correctly. I may be mistaken about that. But I think
16 it's probably going to take about a week.

17 THE COURT: Well, the other alternative would be
18 that -- the other alternative would be to start this trial --
19 actually pick the jury for this trial -- I hate to do that. I
20 was thinking that we could pick it the first -- like 24th, and
21 start trial then. And if we had to go into, like, Monday of
22 the following week, we could do that. But I hate to, you know,
23 keep a jury over the week when we don't have to.

24 How do we look the first week in February?

25 THE CLERK: We're fine, Judge.

1 THE COURT: So that would be jury selection when?

2 MS. STILLINGER: But Mr. Peters -- I think what he's
3 saying, his jury selection is Friday the 31st.

4 THE COURT: No. The 31st of January is a Tuesday.

5 MR. PETERS: That would be jury selection. So it
6 would be probably about a week after that I would still be --

7 THE COURT: Okay. Are you going from jury selection
8 right to trial?

9 MR. PETERS: Yes, ma'am, I believe so.

10 THE COURT: Okay. So if you start the trial January
11 31st, the trial would go, you're saying, to February 7th, let's
12 say.

13 MR. PETERS: Yes, that's my guess.

14 THE COURT: Okay. Then that would put us -- the next
15 available jury selection would be February 10th, for trial the
16 13th. Is that right, Mr. Martinez?

17 THE CLERK: That's correct.

18 THE COURT: Am I -- is there any problem with those
19 dates that you see?

20 THE CLERK: No.

21 THE COURT: Okay. How does that work for everybody?
22 I mean, I'm trying to do it sooner rather than later.

23 MS. STILLINGER: And I -- I mean, we don't want to put
24 it off interminably. But there is a seminar that I really
25 wanted to go to in Charleston, South Carolina, that's the 8th,

1 9th and 10th of February.

2 THE COURT: Okay. We're --

3 MS. STILLINGER: The only reason I really wanted to go
4 is it coincides with my elder daughter's birthday, and we were
5 thinking of making a trip out of it. But that would really be
6 just one more week. We could put it off just one more week.

7 THE COURT: Well, the only other option is to -- oh,
8 but you're in trial the 17th. I was thinking to do the trial
9 the -- pick the jury the 13th and go to trial the 16th, but you
10 start a trial with Judge Montalvo.

11 Well, guys, something's got to give. I can either do
12 it -- I mean, I'm -- I'm trying to be flexible here. I can do
13 it the 20th, to go to trial the 23rd. I can do it the 27th to
14 go to trial the 30th. Or I can do it the 10th to go to trial
15 the 13th.

16 MR. GONZALEZ: The following week is not open,
17 Your Honor?

18 THE COURT: For February, you mean?

19 MR. GONZALEZ: Yes, Your Honor.

20 THE COURT: Yeah, it's open. As long as -- I mean, my
21 only concern is not to wait too long. If the defendants don't
22 have a problem with going -- picking the jury the 17th -- are
23 you still -- are you out of town still then?

24 MS. STILLINGER: No, I would be back by then.

25 THE COURT: February 17th, to go to trial the 20th.

1 Where does everybody stand?

2 MS. STILLINGER: That's fine. Really, we each talked
3 about going through January, so -- you know, I'm not sitting
4 right next to my client. I'm sure a couple more weeks --

5 THE COURT: All right. Anybody have a problem with
6 the trial starting -- jury selection 17th, trial starting the
7 20th?

8 MS. KANOF: The Government does not.

9 THE COURT: Okay.

10 MS. RAMIREZ: I'm assuming that the Court is going to
11 consider, or seriously consider, taking my client off the
12 monitor.

13 THE COURT: I -- I don't -- I mean, I have not heard
14 anybody say they object. So you're probably talking about not
15 a problem. But I want to make sure of dates before we finish
16 deciding that.

17 Okay. So everybody appears to be able to pick the
18 jury the 17th, trial starts the 20th, and we would have that
19 whole week for the trial. Yes?

20 MS. STILLINGER: Yes, Your Honor.

21 MS. KANOF: Yes, Your Honor.

22 MR. GONZALEZ: Yes.

23 THE COURT: Any objection?

24 MR. GONZALEZ: None from the Government, Your Honor.

25 MS. STILLINGER: No, Your Honor.

1 MS. RAMIREZ: No, Your Honor.

2 THE COURT: All right. Then the Court will grant the
3 continuance. The trial will be jury selection February 17th,
4 trial starting the 20th, to go until concluded. But it's
5 certainly -- I'm asking all counsel to clear their calendars
6 for the 20th through the 24th.

7 Then, regarding electronic monitoring, who is here
8 from pretrial?

9 MS. PORTILLO: Irma Portillo, Your Honor, supervising
10 Officer Jose Alonso Compean. And he is in compliance with his
11 electronic monitoring condition, Your Honor, and all of the
12 conditions of bond, as well.

13 THE COURT: All right. Any problems that you see with
14 removing the monitor for your --

15 MS. PORTILLO: Not at this time, Your Honor.

16 MR. ESTRELLA: Good afternoon, Your Honor. Carlos
17 Estrella on behalf of pretrial services. I am supervising
18 Ignacio Ramos. As of this date we haven't had any problem with
19 Mr. Ramos on compliance.

20 THE COURT: All right.

21 MR. ESTRELLA: And we have no objections to removing
22 the monitor.

23 THE COURT: All right. And Mr. Ramos and Mr. Compean
24 are both here in the back of the courtroom?

25 MR. ESTRELLA: That's correct.

1 THE COURT: All right.

2 MS. STILLINGER: Right, Your Honor. This is Mr. Ramos
3 here in the orange shirt.

4 THE COURT: All right.

5 MS. RAMIREZ: My client is here, as well, Judge.

6 THE COURT: All right. Mr. Compean.

7 And, gentleman, you understand that, if the Court
8 removes the electronic monitoring, that is the only thing that
9 the Court is changing regarding pretrial conditions. All other
10 pretrial conditions will remain in full force and effect.
11 Everybody understand that?

12 DEFENDANT COMPEAN: Yes, ma'am.

13 DEFENDANT RAMOS: Yes, ma'am.

14 THE COURT: Then the Court will -- yes. Did you have
15 something you wanted to add, Ms. Stillinger?

16 MS. STILLINGER: Your Honor, I just wanted to clarify
17 that if they're still under -- the condition is home
18 confinement with the electronic monitoring. And I wanted to
19 ask if the home confinement would still be in effect.

20 THE COURT: Well, now, I assume the terms of home
21 confinement have to do with curfews. And so what -- I'm
22 hesitant to say -- home confinement with electronic monitoring
23 means that -- if the monitor comes off, where are we at on
24 curfews?

25 MS. STILLINGER: Well, actually, it's been, you will

1 be at home at every time that you're not working or authorized
2 not to --

3 THE COURT: Which has to do with curfews. Electronic
4 monitoring just means you've got an ankle bracelet to ensure
5 that. So are you saying you don't want to be curfewed, or are
6 you saying you don't want an electronic monitoring? To me,
7 they're two different things.

8 MS. STILLINGER: They are two different things. But
9 the electronic monitoring is more burdensome, because you're
10 actually physically carrying it around with you.

11 But for the curfew -- for instance, I have a motion to
12 file for permission to allow my client to go to his
13 sister-in-law's wedding. And the way that this has been
14 proceeding is that he has to get permission for any kind of --
15 I mean, he has permission to go to work, he has permission to
16 go to church. But he has to call to get permission any time he
17 wants to go to his son's little league game or -- or, really,
18 dinner at -- I mean, really, he's not able to even go to dinner
19 at his inlaws' house.

20 THE COURT: Okay. Let me clarify something, just for
21 the record, and then we can take up --

22 The Court is going to grant the request to remove the
23 electronic monitoring, which means the ankle bracelets can come
24 off.

25 MS. STILLINGER: Okay.

1 THE COURT: Now, on the issue of curfews, I will hear
2 from you -- I am happy to consider it. But if there is some
3 question here, then what I would prefer to do is to actually
4 have something in writing, to know when and what we're talking
5 about. Because I'm not -- I don't have their terms and
6 conditions of bond in front of me.

7 My only concern is that these people are on pretrial
8 release. I don't necessarily have a problem with them, you
9 know, doing certain things. But if we're talking about just
10 opening up wide, I don't know if the Government -- what the
11 Government's position is. So...

12 MS. KANOF: Your Honor, I think that's a good idea, to
13 go ahead -- so that the Court can at least review, since this
14 is kind of a surprise to the Court. And I would like to review
15 it, as well.

16 But for today, the Government has no objection to the
17 motion to amend the conditions of release that Ms. Stillinger
18 has filed on behalf of her client to go to the wedding.

19 THE COURT: Okay.

20 MS. STILLINGER: And I'm just filing that now,
21 Your Honor. And it's -- it's my oversight. My client asked me
22 to file this weeks ago, and I have to say, just getting ready
23 for trial, I failed to do so. But we're just asking for relief
24 from home confinement for Friday and Saturday. It's his
25 sister-in-law's wedding. His wife is the matron of honor.

1 We're asking that he be allowed to stay out Friday night until
2 midnight; and Saturday, we were asking for all day. The
3 wedding is in the morning, the reception in the afternoon, and
4 dance that evening.

5 THE COURT: Okay. So he is requesting permission to
6 attend family events the night before, for the wedding on the
7 14th, the wedding reception and the dance on the 15th. So he
8 is specifically requesting to be off until midnight on Friday
9 and from 9:00 a.m. Saturday until 2:00 a.m. Sunday. Is that
10 right?

11 MS. STILLINGER: That's correct, Your Honor.

12 THE COURT: And the Government has no objection?

13 MS. KANOF: No objection.

14 THE COURT: That will also be granted.

15 MS. STILLINGER: I have a proposed order.

16 THE COURT: All right. Now, any other terms and
17 conditions that need to be filed, motion requesting the
18 modification of those, if we're talking about changing any
19 other curfew hours, et cetera, I'm not adverse to it, but I
20 want to be able to see that in writing, so I know what I'm
21 ruling on.

22 MS. STILLINGER: Yes, Your Honor.

23 THE COURT: All right.

24 MS. STILLINGER: Yes, ma'am.

25 THE COURT: So that portion of it will also be

1 granted.

2 Now, anything else that we need to take up before we
3 adjourn on this case?

4 MS. KANOF: Nothing further from the Government,
5 Your Honor.

6 MS. STILLINGER: Not from Mr. Ramos, Your Honor.

7 MS. RAMIREZ: Not from Mr. Compean.

8 THE COURT: All right. And then just so you're aware,
9 you will get notices from Mr. Martinez regarding status
10 conferences, et cetera, as we get closer to trial.

11 I know there's going to be some issues, because I've
12 been getting some discovery stuff, and we may have to have some
13 pretrial hearings on this case, which I like to do before we
14 start jury selection. So we will take that up as we get
15 closer. But certainly, if there's any request for modification
16 of terms of pretrial release, then you need to file them. All
17 right?

18 Anything further?

19 MS. KANOF: Not from the Government, Your Honor.

20 THE COURT: Thank you. You may be excused.

21 (Transcript continues in Volume II.)

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I certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter. I further certify that the transcript fees and format comply with those prescribed by the Court and the Judicial Conference of the United States.

Signature: _____ Date: _____
David A. Perez, CSR, RPR

David A. Perez, CSR, RPR